



FEDERAL COMMUNICATIONS COMMISSION
ENFORCEMENT BUREAU
SOUTH CENTRAL REGION

Kansas City Office
520 NE Colbern Road
2nd Floor
Lee's Summit, MO 64086

April 09, 2010

Sean Murta
Omaha, NE

NOTICE OF UNLICENSED OPERATION

Case Number: EB-10-KC-0023
Document Number: W201032560002

The Kansas City Office received information that an unlicensed broadcast radio station on 1640 kHz was allegedly operating in Omaha, Nebraska. On March 24, 2010, agents from this office confirmed by direction finding techniques that radio signals on frequency 1640 kHz were emanating from your residence in Omaha, Nebraska. The Commission's records show that no license was issued for operation of a broadcast station on 1640 kHz at this location in Omaha, Nebraska.

Radio stations must be licensed by the FCC pursuant to 47 U.S.C. § 301. The only exception to this licensing requirement is for certain transmitters using or operating at a power level or mode of operation that complies with the standards established in Part 15 of the Commission's rules, 47 C.F.R. §§ 15.1 *et seq.* The field strength of the signal on frequency 1640 kHz was measured at 73,800 microvolts per meter (uV/m) at 30 meters, which exceeded the maximum permitted level of 14.6 uV/m at 30 meters for non-licensed devices set out in Section 15.209 of the Rules, 47 C.F.R. § 15.209. Further, the station's operation did not comply with the alternative operating requirements for stations operating in the band 510-1705 kHz that are set out in Section 15.219 of the Rules, 47 C.F.R. § 15.219. Specifically, the agents measured the field strength of 19,700 microvolts per meter (uV/m) at 30 meters with the 20 foot ground wire detached. This shows that the ground wire was radiating and exceeds the 3 meter combined maximum length of all radiating elements permitted under Section 15.219(a). Thus, this station is operating in violation of 47 C.F.R. § 301.

You are hereby warned that operation of radio transmitting equipment without a valid radio station authorization constitutes a violation of the Federal laws cited above and could subject the operator to severe penalties, including, but not limited to, substantial monetary fines, *in rem* arrest action against the offending radio equipment, and criminal sanctions including imprisonment. (*see* 47 U.S.C. §§ 401, 501, 503 and 510).

UNLICENSED OPERATION OF THIS RADIO STATION MUST BE DISCONTINUED IMMEDIATELY.

You have ten (10) days from the date of this notice to respond with any evidence that you have authority to operate granted by the FCC. Your response should be sent to the address in the letterhead and reference the listed case and document number. Under the Privacy Act of 1974, 5 U.S.C. § 552a(e)(3), we are informing you that the Commission's staff will use all relevant material information before it to determine what, if any, enforcement action is required to ensure your compliance with FCC Rules. This will include any information that you disclose in your reply.

You may contact this office if you have any questions.

Robert C. McKinney
District Director
Kansas City Office

Attachments:

Excerpts from the Communications Act of 1934, As Amended
Enforcement Bureau, "Inspection Fact Sheet", July 2003